

Seattle Permits

— part of a multi-departmental City of Seattle series on getting a permit

Side Sewer Permits for Build-Over Agreements

November 21, 2005

Seattle Public Utilities (SPU) has limited options and restrictive requirements for allowing property owners, builders and developers to construct new and/or modify existing structures over an existing public sewer and/or storm drain mainline through a build-over agreement. This is due to the long term obligations SPU has to its stakeholders toward repairing, maintaining and upgrading the City of Seattle's public sewer and storm drainage mainline infrastructure.

The purpose of this Client Assistance Memo (CAM) is to outline the City's build-over agreement, permit and as-built process. This includes:

- Requirements for build-over agreements.
- How to research for information pertaining to existing public drainage and sewer mainlines, private side sewers and service drains.
- How to apply for a build-over agreement.
- How to apply for a side sewer permit.
- How to apply for other permits if the new building is to be located over an existing public drainage and/or sewer mainline, or a portion of the build-over construction is to occur within the public place.

BUILD-OVER AGREEMENT REQUIREMENTS

Before a build-over agreement can be approved, the requesting party must first agree with requirements set forth by SPU to protect the public interest. These requirements are then recorded, added to the plans, and the changes are executed via a DPD side sewer permit, as well as any associated City/King County permits.

Re-routing the existing public sewer and/or storm mainlines is SPU's preferred method to avoid conflicts when builders are constructing new projects or modifying existing structures. SPU may or can grant approval for re-routing the existing facility if the following is secured:

- The applicant agrees to provide a new easement for the public utility.
- The applicant constructs the re-routed mainline facility per City standards and requirements.
- The applicant pays the City's administrative costs, side sewer and other City/King County permit fees.
- The applicant pays for the replacement by SPU of existing public structures and landscaping attributable to the project's construction.
- Other conditions may apply on a case-by-case basis.

If the builder deems that re-routing the mainline around the project is impractical or impossible, SPU may grant approval for a build-over agreement if it determines the City's rights and facilities are adequately protected and the following is secured:

- The applicant upgrades the existing mainline facility.
- The applicant agrees to pay the City's administrative costs, side sewer and other City/King County permit fees.
- The applicant pays for the replacement by SPU of existing public structures and landscaping attributable to the project's construction.

Meeting the above criteria and any requirements described within this CAM does not guarantee the right to construct over an existing public sewer/storm drain mainline. The applicant must consult with SPU, and SPU reserves the right to deny permission for a build-over request.



RESEARCHING BEFORE APPLYING FOR A BUILD-OVER AGREEMENT

Will the proposed project involve construction over or near existing City sewer or storm drain mainlines? “Construction” refers to proposed construction, re-construction or additions such as, but not limited to, buildings, structures, retaining walls, concrete paving, landscaping, decks, rockeries and/or other construction facilities that require a building permit. “Near” refers to any permanent features where the horizontal distance from the public utility is equal to or less than the depth to the invert of the utility or falls within an existing easement.

For example, if a public utility has a 5-foot depth to the invert of the structure, any new construction located within 5 feet of the utility would necessitate the build-over agreement process. Encroachments into existing easements will also require a build-over agreement. Buildings and structures that are exempt from a building permit because of size, height from “grade,” or structure cost (e.g., decks) are also subject to a build-over review to determine if any special precautions are required.

You can determine if public utilities located on your property will interfere with proposed construction by:

- Checking your current title report for the property.
- Having a licensed surveyor prepare an initial survey noting the location of the existing mainline, both vertically and horizontally, property lines and the location of the proposed construction.
- Checking the sewer maps and side sewer cards available at DPD’s Drainage and Sewer Counter in the Applicant Services Center, Seattle Municipal Tower, 700 Fifth Ave., 20th floor.

Other sources of information are:

- DPD Site Development website: **www.seattle.gov/dpd/sitedev**
- DPD Side Sewer Program website: **www.seattle.gov/dpd/sidesewer**
- SPU Utility Services website: **www.seattle.gov/util/engineering/obtain_utility_services**
- SPU Records Vault website: **www.seattle.gov/util/engineering/records_vault**
- SPU Standard Plans and Specifications website: **www.seattle.gov/util/engineering/standard_plans_&_specs**

APPLYING FOR A BUILD-OVER AGREEMENT

- 1) When it is determined that the project will be located over or near an existing public sewer and/or storm drain mainline, or will encroach into a public sewer and/or storm drain mainline easement, and a sewer/storm drain main re-route is or is not possible, you must send a letter to the director of SPU:

Seattle Public Utilities
Attn: Real Property Services
700 Fifth Ave., Suite 4900
PO Box 34018
Seattle, WA 98124-4018

In the letter, you can request permission to build over the sewer/storm drain mainline, encroach into an easement, or re-route the existing sewer/storm drain mainline. You can also describe the proposed construction. You must also include with the letter:

- A copy of the City’s utility easement document, if available.
- A copy of the City’s side sewer card, annotated with the proposed construction. You can find these on DPD’s website at **www.seattle.gov/dpd/research**. Your preliminary survey plan can be used in lieu of the side sewer card.
- A preliminary profile view of the proposed structure in relation to the City’s sewer/storm mainlines.

- 2) SPU Real Property Services (RPS) will circulate the proposal to SPU Drainage and Wastewater Maintenance and Operations (DWW M&O), who will conduct a preliminary engineering assessment.

RPS will respond to the request with a letter outlining minimum draft consent agreement requirements for the build-over, and may request a meeting to discuss the project in further detail. The letter will include a preliminary fee amount to cover RPS administrative costs. If you (as property owner) agree with minimum preliminary requirements, then sign the letter and return it to Seattle Public Utilities, Real Property Services.

Include with the letter:

- A check or money order made payable to the Department of Finance to cover SPU administrative costs.

- Separate re-route and/or design-change plans and profiles prepared by a licensed civil engineer. For some cases, public sewer/storm drain mainline pipes located within the building shall be prepared by a licensed mechanical engineer. A topographic and boundary survey will be required in order to verify grade, invert elevations, easement, and utility and building locations, as outlined in the RPS letter.
- Three sets of finalized plans and profiles for the project, signed by the licensed professional engineer, showing construction details and notes for construction or alteration of existing public sewer/storm drain mainlines. All design work must conform to the latest SPU Standard Plans and Specifications, available online at www.seattle.gov/util/engineering/standard_plans_&_specs

- 3) SPU may require modifications of the submitted engineered plans. Once approved, RPS will draft the consent agreement for applicant review, approval and acceptance.

Submitting plans, utilizing all of the above criteria, does not guarantee the right to construct over an existing public sewer/storm drain mainline. SPU reserves the right to deny permission for a build-over request.

Consent agreements must be signed, executed, countersigned and recorded by SPU prior to issuance of a DPD side sewer permit. See CAM 503, *Side Sewer Permits in Seattle*, for more information.

Side sewer permits can be obtained at the DPD Applicant Services Center, Drainage and Sewer Counter, Seattle Municipal Tower, 700 Fifth Ave., 20th floor.

Plumbing Permits

A plumbing permit may be required from Seattle/King County Health Department, Plumbing, for public mainline pipes located within the building. Please note that the engineered plan also needs to be part of the approved building plan set.

Plumbing permits can be obtained at the Seattle/King County Health Department, Plumbing Counter, Seattle Municipal Tower, 700 Fifth Ave., 20th Floor.

Street Use Permits

Seattle Department of Transportation (SDOT) review and approval will be required for construction work done in the public place if it is part of the build-over

agreement. SDOT will issue a street use permit when the build-over documents have been approved by SPU and have been recorded on the plans submitted to DPD.

Street use permits can be obtained at SDOT, Street Use, Seattle Municipal Tower, 700 Fifth Ave., 37th floor.

FINAL APPROVAL OF A BUILD-OVER AGREEMENT

All easement documents must be finalized and recorded before SPU can accept the construction as a completed project.

You may be required to submit pre-construction and post-construction project videos of the infrastructure. A video of the existing public facilities and the constructed public facilities may also be required by SPU and/or DPD.

You must submit as-built construction plans upon completion of the utility construction, prepared by a licensed surveyor, to both DPD and SPU for approval as part of the build-over agreement.

As-built plans must be prepared and signed by a licensed surveyor at the conclusion of the project. The information included with the as-built plans must include the location of existing and new structures; finish floor elevations of the lowest level of the existing and new structures; delineation of the utility easement; and location and size of both the existing and new public and private sewer and/or drainage lines, including invert and finish grade elevations. A distance to the existing upstream or downstream public maintenance hole (MH), along with an invert elevation, must also be included with the as-built information.

Although the construction of the relocated or replaced sewer/storm drain mainline will be inspected by the DPD site inspector under the DPD side sewer permit, final written acceptance must be obtained from SPU's Drainage and Wastewater Division before occupancy of the structure. This will be required of the property owner for acceptance of relocated or replaced sewer/storm drain mainlines.

ROLES AND RESPONSIBILITIES

SPU

SPU RPS and DWW M&O staff will provide review and special inspection for build-over agreements. If difficulties are encountered during construction, SPU

will contact the applicant, contractor and DPD site inspector and work with them to resolve the problems. Normally, involvement by SPU will be limited to special cases and complex issues arising during construction. This would include responding to conflicts and complaints as received by SPU and/or DPD.

DPD

DPD will issue side sewer permits for build-over agreements, conduct site inspections during construction, and coordinate actions related to obtaining the as-built plans.

SDOT

SDOT will verify any construction located in the public place with street right-of-way requirements, and issue utility or street use permits for build-over agreements that are permitted within the public place.

Registered Side Sewer Contractors

Construction or reconstruction of the existing public sewer/storm drain mainline must be installed by the applicant's Registered Side Sewer Contractor (RSSC) even if the existing public sewer/storm drain mainline is located on private property. A current RSSC list can be found on the DPD website at www.seattle.gov/dpd/sidesewer

FEES AND CHARGES

SPU Administration Fees

The fees associated with SPU review and issuance of a build-over agreement will include the staff time to review the applicant's plan and profile construction documents as submitted by the applicant's licensed engineer.

Side Sewer Fees

The fees associated with a side sewer permit for build-over are established in the Seattle Municipal Code 21.24. Inspection time by the DPD site inspector for the side sewer permit for build-over will be assessed when the inspection time exceeds the allotted permit inspection time as established by the applicable DPD Director's Rule.

Street Use Fees

Included with the DPD side sewer fee is a provision that any work in the public place will entail payment to DPD (on behalf of SDOT) for a street use permit that will be part of the DPD side sewer permit.

Access to Information

Links to electronic versions of DPD **Client Assistance Memos (CAMs)** and **commonly used forms** are available on the "Publications" page of our website at www.seattle.gov/dpd/publications. Paper copies of these documents, as well as additional regulations mentioned in this CAM, are available from our Public Resource Center, located on the 20th floor of Seattle Municipal Tower at 700 Fifth Ave. in downtown Seattle, (206) 684-8467.